

**ONE HUNDRED THIRD LEGISLATURE - SECOND SESSION - 2014**  
**COMMITTEE STATEMENT**  
**LB965**

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**Hearing Date:** Friday January 31, 2014  
**Committee On:** Natural Resources  
**Introducer:** Haar  
**One Liner:** Change public policy provisions and findings required by the Nebraska Power Review Board relating to the provision of electric service

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	5	Senators Brasch, Dubas, Haar, Kolowski, Schilz
<b>Nay:</b>	3	Senators Carlson, Johnson, Smith
<b>Absent:</b>		
<b>Present Not Voting:</b>		

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**Proponents:**

Senator Ken Haar  
David Corbin  
LaVerne Thraen  
Ken Winston  
Cynthia Tiedeman  
Patricia Fuller  
Mark Welsch  
Willie Hamilton  
Graham Christensen  
Kimberly Morrow  
Darrel Hayek  
Dr. Bobbie Davis  
Krystle Craig  
Anthony Sumpster  
John Atkeison  
Matthew Cronin  
Mikhaiel Scollard  
Reed Brodersen  
Scott Williams  
Michael Shonka  
Graham Jordison  
Adam Hintz

**Representing:**

Introducer  
American Public Health Association  
Self  
Nebraska Sierra Club  
League of Women Voters of Nebraska  
Self  
Self  
Black Men United  
Burt County Wind LLC  
Nebraska Interfaith Power and Light  
Self  
Self  
Self  
Nebraska Wildlife Federation  
Self  
Self  
Self  
Self  
Solar Heat and Electric  
Sierra Club  
Power Lincoln Locally

**Opponents:**

John McClure  
Shelley Sahling-Zart

**Representing:**

Nebraska Power Association  
Lincoln Electric System

**Neutral:**

Clinton Rowe

**Representing:**

Self

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**Summary of purpose and/or changes:**

LB 965 would require the Power Review Board to consider additional benefits and costs in its "public purpose" evaluation before deciding whether to grant a power generation or transmission facility permit. Currently, the board is required to find that the application will serve the public convenience and necessity, and that the applicant can most economically and feasibly supply the service without unnecessary duplication.

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**Explanation of amendments:**

The committee amendment removes language from the bill relating to health and environmental considerations. As amended, the bill would do the following:

Sections 1 and 3 amend two statutes that declare the state's policy of providing customers with electric service at the lowest cost possible. 70-1001 applies to the Power Review Board, and 70-1501, applies to electric suppliers. New language added to both sections would add that the electric service provided is to be reliable in addition to adequate, and that it is to provide as many benefits to customers as possible. Also adds language defining "cost" as including: generation, fuel, regulatory compliance, energy portfolio risks, water usage, and the fiscal impact of customer-owner dollars being sent out of state.

New language also defines benefits as including, but not limited to, economic benefits, efficient use of resources, portfolio diversification, and impacts to water. Cost and benefit analysis is to include local and statewide impacts.

Customer-owner is defined as a Nebraska citizen who resides within a service area of a Nebraska electric supplier.

Section 2 amends 70-1014, which provides procedures for approval or denial of electric generation or transmission line applications, by requiring the Power Review Board to find that the applicant gave consideration to the costs and benefits described in this bill when deciding whether to approve or deny an application.

Section 4 repeals the original sections.

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Tom Carlson, Chairperson